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Filing date: **05/30/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92057092
Party	Defendant Bulldog Winch Co., LLC
Correspondence Address	BULLDOG WINCH CO LLC 1725 W WILLIAMS DR, STE 46 PHOENIX, AZ 85027 UNITED STATES robert@bulldogwinch.com
Submission	Answer
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Signature	/Howard Sobelman/
Date	05/30/2013
Attachments	Answer.pdf(297768 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Cequent Performance Products, Inc.,	)	Cancellation No.: 92057092
	)	
Petitioner,	)	Registration No.: 3455827
	)	
vs.	)	Mark: BULLDOG WINCH
	)	
Bulldog Winch Co. LLC,	)	
	)	
Respondent.	)	
	)	

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**RESPONDENT'S ANSWER TO  
PETITION FOR CANCELLATION**

Respondent Bulldog Winch Co. LLC ("Respondent"), hereby answers the Petition for Cancellation filed by Petitioner Cequent Performance Products, Inc. ("Petitioner") in the above-identified trademark registration.

Respondent is without knowledge or information sufficient to form a belief as to the truth or accuracy of the averments in the first introductory paragraph of the Petition for Cancellation ("Petition") and on that basis denies same.

Respondent admits the accuracy of the averments in the second introductory paragraph of the Petition.

Respondent denies the accuracy of the averments in the third introductory paragraph of the Petition.

The following numbered paragraphs correspond to the numbered paragraphs in the Petition.

1. Respondent is without knowledge or information sufficient to form a belief as to the truth or accuracy of the averments in paragraph 1 of the Petition and on that basis denies same.
2. Respondent is without knowledge or information sufficient to form a belief as to the truth or accuracy of the averments in paragraph 2 of the Petition and on that basis denies same.
3. Respondent is without knowledge or information sufficient to form a belief as to the truth or accuracy of the averments in paragraph 3 of the Petition and on that basis denies same.
4. Denied.
5. Respondent is without knowledge or information sufficient to form a belief as to the truth or accuracy of the averments in paragraph 5 of the Petition and on that basis denies same.
6. Respondent is without knowledge or information sufficient to form a belief as to the truth or accuracy of the averments in paragraph 6 of the Petition and on that basis denies same.
7. Respondent admits that Petitioner is listed as the owner of U.S. Registration No. 2394523, a copy of the registration certificate is attached to the Petition as Exhibit A, and that a print out from the electronic records of the USPTO showing the status of the title of the registration is attached to the Petition as Exhibit B.
8. Respondent admits the averments in paragraph 8 of the Petition.
9. Respondent is without knowledge or information sufficient to form a belief as to the truth or accuracy of the averments in paragraph 9 of the Petition and on that basis denies same.
10. Respondent admits that Petitioner has petitioned to cancel Registration 3455827 under section 2(d) of the Lanham Act, and Respondent denies the remaining averments in paragraph 10 of the Petition.
11. Denied.

12. Denied.
13. Respondent admits that it provides products to some consumers through independent dealers of aftermarket auto and truck accessories, but Respondent is otherwise without knowledge or information sufficient to form a belief as to the truth or accuracy of the other averments in paragraph 13 of the Petition and on that basis denies same.
14. Denied.
15. Denied.
16. Denied.
17. Denied.

### **Affirmative Defenses**

#### **First Defense**

18. Petitioner's requested relief is barred by the doctrine of laches.

#### **Second Defense**

19. Petitioner's requested relief is barred by the doctrine of equitable estoppel.

#### **Third Defense**

20. Petitioner reserves all other defenses applicable to it, including any other defenses at law or in equity, which may now exist or in the future be available based on discovery and further factual investigation in this case.

**Prayer for Judgment**

Whereby Respondent requests a judgment finding for Respondent, and dismissing Petitioner's Petition and this proceeding in its entirety.

Respectfully submitted this 30<sup>th</sup> day of May, 2013.

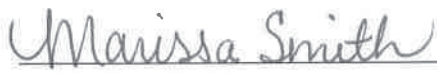
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Attorneys for Respondent

CERTIFICATE OF SERVICE

I Marissa Smith, hereby certify that the foregoing Respondent's Answer to Petition for Cancellation was served on Petitioner's counsel by email and by depositing same with the U.S. Postal Service, first-class postage prepaid, on May 30, 2013, addressed as follows:

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Date: May 30, 2013

By   
Marissa Smith

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